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UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. <u>CR00-00468</u>
)	
Plaintiff,)	INDICTMENT
)	
vs.)	[8 U.S.C. § 1324(a)(1)(A)(v);
)	18 U.S.C. § 1957]
TAKAO ASAYAMA,)	
)	
Defendant.)	
_____)	

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INDICTMENT

COUNT 1

The Grand Jury charges:

Introduction

1. Under the Visa Waiver program, Japanese citizens who are visiting the United States for the purpose of sightseeing, may enter the United States without a visa as long as there is nothing in their background that would disqualify them from entering the United States.

2. Japanese citizens seeking to enter the United States to work in the United States must obtain a visa and the

appropriate authorization from the Immigration and Naturalization Service.

3. Immigration law prohibits aliens from entering under the visa waiver program if they are entering for the purpose of working and prohibits them from remaining in the United States if they have worked after entering under the visa waiver program.

The Scheme

4. From an unknown date, but at least as early as June, 1999 to the present, in the District of Hawaii and elsewhere, the Defendant, TAKAO ASAYAMA, did knowingly and intentionally conspire and agree with persons known and unknown to the grand jury to commit the following offenses against the United States:

a. Transporting aliens within the United States knowing or in reckless disregard of the fact that the aliens had come to, entered or remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii);

b. Harboring aliens knowing or in reckless disregard of the fact that the aliens had come to, entered or remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

c. Encouraging and inducing aliens to come, to enter and reside in the United States knowing that such coming to, entry and residence will be in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

Manner and Means

5. It was part of the manner and means of the conspiracy that members of the conspiracy would recruit female Japanese citizens to do nude internet modeling in the United States.

6. It was part of the manner and means of the conspiracy that a member of the conspiracy would instruct the female Japanese citizens who were recruited to do nude internet modeling in the United States that they should tell the Immigration and Naturalization Service that their purpose in coming the United States was "sightseeing."

7. It was part of the manner and means of the conspiracy that the female Japanese citizens who were brought from Japan to the United States to do nude internet modeling would live and work at 1155 Hala Drive, Honolulu, Hawaii, a residence rented by co-conspirator Akira Sekimoto.

Overt Acts

8. In furtherance of the conspiracy and in order to effect the objectives thereof, the conspirators performed the following overt acts, among others, in the District of Hawaii and elsewhere:

a. In or around January, 1999, Defendant TAKAO ASAYAMA and co-conspirator Akira Sekimoto met and agreed that Akira Sekimoto would set up a live internet chat operation in the United States.

b. In or around July, 1999, co-conspirator Akira Sekimoto contacted Defendant TAKAO ASAYAMA and advised him that a

Japanese national who had been brought to Honolulu to work as an internet model at 1155 Hala Drive had been intercepted at Honolulu International Airport and had been refused entry into the United States because she admitted that she was going to be working in the United States. Defendant TAKAO ASAYAMA instructed co-conspirator Akira Sekimoto that the models should list a hotel as the place they were staying in the United States rather than their actual destination: 1155 Hala Drive.

c. On or about August 1, 1999, two Japanese nationals entered the United States. Although they were planning on staying at 1155 Hala Drive, they listed an intended address of 415 Nahua Street, which is the address of a hotel in Waikiki.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v).

COUNT 2

The Grand Jury further charges:

On or about October 18, 1999, in the District of Hawaii, Defendant TAKAO ASAYAMA, did knowingly cause a monetary transaction to take place by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, that is, the transfer of funds in the amount of \$19,500, from Aloha Data, Limited to Cyber Magic, Incorporated, such property having been derived from a specified unlawful activity, that is a violation of Title 8, United States Code, Section 1324(a)(1)(A)(v).

All in violation of Title 18, United States Code,
Section 1957.

COUNT 3

The Grand Jury further charges:


On or about December 10, 1999, in the District of
Hawaii, Defendant TAKAO ASAYAMA, did knowingly cause a monetary
transaction to take place by, through, or to a financial
institution, affecting interstate or foreign commerce, in
criminally derived property of a value greater than \$10,000, that
is, the transfer of funds in the amount of \$30,000 from Web
Impact, LLC to Aloha Data, Limited, such property having been
derived from a specified unlawful activity, that is a violation
of Title 8 United States Code, Section 1324(a)(1)(A)(v).


All in violation of Title 18, United States Code,
Section 1957.


DATED: December 7, 2000, at Honolulu, Hawaii.

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UNITED STATES vs. TAKAO ASAYAMA
Cr. No. _____
"Indictment"